



GEORGETOWN LAW
INSTITUTE FOR PUBLIC REPRESENTATION

Hope M. Babcock
Angela J. Campbell
Brian Wolfman
Directors
Leah M. Nicholls
Senior Staff Attorney
Kelly D. Davis
Laura Moy*
Margot J. Pollans
Blake E. Reid
Staff Attorneys

600 New Jersey Avenue, NW, Suite 312
Washington, DC 20001-2075
Telephone: 202-662-9535
Fax: 202-662-9634

April 20, 2012

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12 St. SW
Washington, DC 20554

*Re: Standardized and Enhanced Disclosure Requirements for Television Broadcast
Licensee Public Interest Obligations, MB Docket 00-168*

Dear Ms. Dortch,

Today I spoke with by telephone with Dave Grimaldi, Chief of Staff for Commissioner Mignon Clyburn. I explained that the Institute for Public Representation under my leadership has been advocating for over twelve years to require television stations to make their public inspection files, including their political files, more easily available for public inspection by placing them online.

Over the years, IPR and the Public Interest Public Airwaves Coalition have made substantial concessions designed to reduce burdens on broadcasters and respond to their objections. From the press reports about the item that will be voted on at the Commission's April 27 meeting, it seems like the Commission will not require as much disclosure as fast as we would like. Still, it is an extremely important step forward. I asked Mr. Grimaldi to convey to Commissioner Clyburn my strong support for the item and urge that it be adopted without any further compromise, weakening or delay.

The compromise proposal put forth by some broadcasters in *ex parte* filings to substitute an aggregated dollar figure spent by each candidate is unacceptable for many reasons. First, the totals cannot be verified without visiting the stations and looking at the paper files. As we have documented in our comments, requiring members of the public to visit stations in person to see

public documents, places too much unnecessary burden on the public. The purpose of the Enhanced Disclosure proceeding is to increase public access.

Second, Congress' purpose in requiring that broadcast stations sell time to political candidates at the lowest unit rate was intended to reduce the costs of political campaign, thereby better informing the public about the candidates and reducing the potential for corruption created by candidates' need to raise large amounts of campaign funds. If stations do not have to disclose the lowest unit rate in their online filings, Congress' purpose will be thwarted.

Third, the vigor with which the broadcasters are objecting to the FCC's proposals suggests they have something to hide. Could it be the huge amount of money they are making from election related advertising? Are they afraid if the FCC and the public knew how much they get for running these ads it would undermine their claims that they need the Commission to relax the ownership rules to remain profitable?

Fourth, we agree with broadcasters that urge that the Commission should also require cable operators to make their public and political files available online. However, there is no need to delay adopting an order in this proceeding which began back in 2000 for the purpose of determining the public interest obligations on digital television broadcasters. It has now been several years since the transition to DTV occurred. Action in this docket is long overdue. The Commission put out a new notice of proposed rulemaking regarding cable in the near future. But is important to act now because the vast majority of campaign spending goes to broadcast television and the public needs this information in time for the next election.

I admire Commissioner Clyburn's unwavering support of policies that serve the public interest. I enjoyed hearing her remarks just the other day at an event in honor of Commissioner Copps. I know she will carry on his legacy and support this item.

Respectfully submitted,

Angela J. Campbell

cc: Commissioner Mignon Clyburn
Dave Grimaldi